UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/760,935	01/15/2001	Gerald M. Cooper	1280.00286	3403

27045	7590	05/03/2004

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EXAMINER
MEUCCI, MICHAEL D

ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 05/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 January 2001*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *15 January 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Detailed Action

Specification

1.   The specification is objected to as failing to provide proper antecedent basis for

the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction

of the following is required:

a. Customer computers "20-26" are referenced in the specification, but

computers 21, 23, and 25 are not shown in Fig. 1. This occurs in the

specification on: lines 3 and 6 of page 7, on lines 2, 9, 15, and 21 of page 10, on

line 22 of page 15, and on line 6 of page 16. Applicant should not list computers

(e.g. 21, 23, and 25) if they are not shown in the drawing. Applicant should list

computer as follows: "20, 22, 24, and 26."

b. Customer computers "20-24" are referenced in the specification, but

computers 21 and 23 are not shown in Fig. 1. Correction as stated above is

required. Also, examiner believes applicant wanted to include customer

computer 26 in this reference. Correct if necessary.

c. Closing parentheses is missing from lines 1 or 2 of page 14.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 7-12, and 15-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Gabber et al (U.S. 6,591,291).

a. As per claim 1, Gabber et al. teaches a port receiving and transmitting email (communications circuitry of FIG. 2); a server (lines 33-35 of column 4); generation of an alias source address associated with email and transmitted to a destination address (lines 55-57 of column 2); alias source address being anonymous (abstract); and filtering incoming reply mail based on the alias source address (lines 6-7 of column 8).

b. As per claim 2, Gabber et al. teaches a distributed network coupled together to form the Internet (lines 27-30 of column 4 and FIG. 1), which inherently includes a router for communication in a network.

c. As per claim 3, Gabber et al. teaches the alias source address being based on the destination address of the e-mail message (lines 7-8 of column 6), in which a dynamic address "tag" associated with the destination is thereby created; and dynamic address tag being contained in the e-mail message itself (lines 8-9 of column 7), since the dynamic address tag is included in "all remaining data" which is stored in the e-mail message.

d. As per claim 4, Gabber et al. teaches filtering incoming reply mail based on the alias source address (lines 20-26 of column 3), which contains information about the destination address (lines 8-9 of column 7).

e. As per claim 7, Gabber et al. teaches including a version of the real source address, which is the user name, in the alias source address (lines 9-11 of column 3).

f. As per claim 8, Gabber et al. teaches a port receiving and transmitting email (communications circuitry of FIG. 2); a server (lines 33-35 of column 4); generation of an alias source address associated with email and transmitted to a destination address (lines 55-57 of column 2); alias source address being anonymous (abstract); filtering incoming reply mail based on the alias source address (lines 6-7 of column 8); the alias source address being based on the destination address of the e-mail message (lines 7-8 of column 6); and dynamic address tag being contained in the e-mail message itself (lines 8-9 of column 7).

g. As per claim 9, Gabber et al. teaches a distributed network coupled together to form the Internet (lines 27-30 of column 4 and FIG. 1), which inherently includes a router for communication in a network.

h. As per claim 10, Gabber et al. teaches a method of filtering email to a user (lines 21-22 of column 3); generation of an alias source address associated with email and transmitted to a destination address (lines 55-57 of column 2); alias source address being anonymous (abstract); and filtering incoming reply mail based on the alias source address (lines 6-7 of column 8).

i. As per claim 11, Gabber et al. teaches the alias source address being based on the destination address of the e-mail message (lines 7-8 of column 6); and dynamic address tag being contained in the e-mail message itself (lines 8-9 of column 7).

j. As per claim 12, Gabber et al. teaches the alias source address being based on the destination address of the e-mail message (lines 7-8 of column 6); and filtering

incoming reply mail based on the alias source address (lines 20-26 of column 3), which

contains information about the destination address (lines 8-9 of column 7).

k. As per claim 15, Gabber et al. teaches the alias source address including an

encrypted version of the real source address (lines 9-11 of column 3).

l. As per claim 16, Gabber et al. teaches the alias source address being based

on the destination address of the e-mail message (lines 7-8 of column 6); and dynamic

address tag being contained in the e-mail message itself (lines 8-9 of column 7).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

a. Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Gabber et al. (U.S. 6,591,291) as applied to claims 1 and 10 respectively above, in

further view of Maas, Robert E (Google Group news.admin.net-abuse.email,

06/05/1997).

Gabber et al. fail to teach forwarding email addressed to dynamic address for

only a selected period of time. However, Maas discloses specifying a time limit so the

person can receive emails from a particular person, company, or range of

persons/companies, until the time limit is reached (page 3, paragraph 1).

One of ordinary skill in the art at the time of the applicant's invention would have clearly recognized that it is a quite advantageous for the email filtering system of Gabber to provide a reply time limit for filtering mail and thereby reducing any of the following: disk space, CPU cycles, user filtering time, disposal time, and perhaps connection charges (page 1, paragraph 4). It is for this reason that one of ordinary skill in the art would have been motivated to forward email from the server to the user for only a selected period of time.

b. Claims 6 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gabber et al. (U.S. 6,591,291) as applied to claims 1 and 10 respectively above, in further view of Parker, Rob (Google Group news.admin.net-abuse.email, 06/17/1998).

Gabber et al. Fail to teach forwarding only a selected amount of email addressed to dynamic address. However, Parker discloses that additional measures could be employed on the servers to enforce other policies and limit the amount of spam that can get out (page 3, paragraph 3).

One of ordinary skill in the art at the time of the applicant's invention would have clearly recognized that it is quite advantageous for the email filtering system of Gabber to provide means to limit the amount of email that is sent out from the server. This would reduce the amount of unsolicited commercial email (UCE) and/or unsolicited bulk email (UBE) that the user would have to manually filter. It is for this reason that one of ordinary skill in the art would have been motivated to include means for limiting the amount of email that is forwarded by the server to the user.

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Drummond et al. (6,691,156 B1) discloses a method for restricting delivery of

uncolicited e-mail.

Aronson et al. (6,654,787 B1) discloses a method and apparatus for filtering e-

mail.

Dickinson, III et al. (6,609,196 B1) discloses an e-mail firewall with stored key

encryption/decryption.

Gabber et al. (6,574,658 B1) discloses a system and method for secure

classification of electronic mail.

Skladman et al. (6,400,810 B1) discloses a method and system for selective

notification of e-mail messages.

Horvitz et al. (6,161,130) discloses a technique which utilizes a probabilistic

classifier to detect "junk" e-mail by automatically updating a training and re-training the

classifier based on the updated training set.

Lambert et al (6,038,601) discloses a method and apparatus for storing and

delivering documents on the internet.

Paul (6,052,709) discloses an apparatus and method for controlling delivery of

unsolicited electronic mail.

Adams, Jr. et al. (5,444,782) discloses a computer network encryption/decryption

device.

Logan et al. (US 2002/0181703 A1) discloses methods and apparatus for controlling the transmission and receipt of email messages.

Browning (comp.dcom.xdsl newsgroup) discloses a spam filtering service that will help limit the amount of spam that enters a local mailbox.

Satch (comp.dcom.modems.cable newsgroup) discloses limiting the amount of (e)mail a person can send.

Tsai ("Intelligent E-mail Management System") discloses server-side and client-side email filtering.

Bass ("A Simple Framework for Filtering Queued SMTP Mail") discloses filtering framework for rules-based filtering.

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Meucci at (703) 305-1382. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey, can be reached at (703) 305-9705. The fax phone number for this Group is (703) 308-5358.
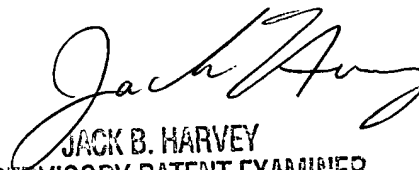
Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [michael.meucci@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record

includes a properly signed express waiver of the confidentiality requirements of 35

U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published

in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG

89.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to Group receptionist whose telephone number is

(703) 305-3900.

JACK B. HARVEY
SUPERVISORY PATENT EXAMINER